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CIVIL ACTION NO. 1:07cv289

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MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Damon Walton, proceeding *pro se*, filed the above-styled civil rights lawsuit against Daniel W. Collins. The court referred the matter to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

The defendant has filed a motion for summary judgment. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge (doc. no. 30) recommending the motion be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections to the Report and Recommendation were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. The motion for summary judgment is **GRANTED**. A final judgment shall be entered dismissing this lawsuit.

So **ORDERED** and **SIGNED** this **28** day of **September, 2010**.

Tom Clark

Ron Clark, United States District Judge